

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA,)
)
)
v.)
)
JAMES RAYMOND,)
)
DEFENDANT)

CRIMINAL No. 09-144-P-H

ORDER ON DEFENDANT'S MOTION FOR DISCOVERY

The Motion for Discovery is **GRANTED**. The government shall make a more complete disclosure under Fed. R. Crim. P. 16(a)(1)(G) of what the proffered expert's testimony will be.

Like the defendant's lawyer, I cannot tell from the government's disclosure what the proffered expert witness will testify, and I do not believe that I should have to read his books and his testimony in other trials to find out. In order for me to make the relevance and reliability determinations required by Daubert v. Merrell Dow Pharmaceuticals, 509 U.S. 579 (1993), (as well as the scientific determinations) at the upcoming hearing on the motion in limine, I need to know what Mr. Lanning's testimony will be in *this* trial that relates to the conduct of *this* defendant or the alleged victim in *this* case.

So ORDERED.

DATED THIS 23RD DAY OF FEBRUARY, 2010

/S/D. BROCK HORNBY

D. BROCK HORNBY

UNITED STATES DISTRICT JUDGE